

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

The Estate of Roger D. Owensby Jr., : Case No. 01-CV-769
Plaintiff, : (Judge Speigel)
v. : MOTION FOR EXTENSION
City of Cincinnati, et al., : OF TIME TO FILE
Defendant. : MEMORANDUM IN
: OPPOSITION TO PARTIAL
: SUMMARY JUDGMENT

Now comes counsel for Defendants Patrick Caton, Jason Hodge, Robert Blaine Jorg, Darren Sellers and Victor Spellen and respectfully moves the court for an extension of time, until Wednesday March 3, 2004, in which to file the Memorandum in Opposition to Plaintiff's Motion for Partial Summary Judgment. The request for the extension is based on the very recent death of counsel Donald E. Hardin's brother that resulted in his being out of town for several days. Counsel for Plaintiffs have no objection as evidenced by their recent filing (Doc. 94), counsel for the City Defendants also have no objection to the requested extension. No previous extensions have been granted and the request will not result in any undue delay.

Respectfully submitted,

/s/Donald E. Hardin
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Trial Attorney for Defendants Patrick Caton, Robert Blaine Jorg, Jason Hodge, Darren Sellers and Victor Spellen in their individual and/or official capacities.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Extension of Time to File Memorandum in Opposition to Partial Summary Judgment was electronically filed on February 24, 2004. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

Respectfully submitted,

/s/Donald E. Hardin